

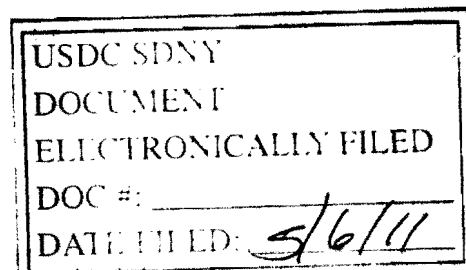
**Stephen A. Katz, P.C.**  
**Attorney at Law**

111 JOHN STREET, SUITE 800  
NEW YORK, NY 10038-3180  
(212) 349-6400 FAX: (646) 308-1170  
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sakatz00@aol.com

6 May 2011

*Stephen A. Katz (MA, NY & PA)*

Honorable Cathy Seibel  
Federal Building and United States Courthouse  
Clerk's Office  
300 Quarropas Street, 1st floor  
White Plains, NY 10601-4150



*By fax to (914) 390-4278*

Re: Hutter v. Countrywide Bank, N.A., Civil Action no. 09-CV-10092 (CS) (LMS)

Dear Judge Seibel:

Late yesterday I did receive a response from attorney Kenneth C. Rudd, who represents defendant Countrywide Bank, N.A., regarding plaintiff Nance M. Hutter's request for the bank's consent to her filing her Second Amended Complaint late.

Mr. Rudd states that his client is willing to let plaintiff Nance M. Hutter file the Second Amended Complaint late, but asks that Countrywide have at least thirty days to respond to the Second Amended Complaint, and more time if the bank needs it. Mrs. Hutter agrees to those terms: that is, she consents to Countrywide's having thirty days to respond to the Second Amended Complaint, and she agrees to the bank's having an additional extension beyond thirty days if the bank requests it.

*Defendant shall have 30  
days from today to move on  
answer.*

Sincerely yours,

*Stephen A. Katz*  
Stephen A. Katz

SAK  
cc: Attorneys Rudd and Ackerman

So Ordered.

*Cathy Seibel*  
Cathy Seibel, U.S.D.J.

Dated: 5/6/11

## Stephen A. Katz, P.C.

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Phone: (212) 349-6400  
Fax: (646) 308-1170

# Fax

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**To: Honorable Cathy Seibel**

**From: Stephen A. Katz**

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**Fax: 9143904278**

**Pages: 2**

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**Re: Hutter v. Countrywide Bank**

**Date: May 06, 2011**

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Dear Judge Seibel:

I have sent with this cover page:

1. my letter of today conveying Countrywide Bank's response to Mrs. Hutter's request that she be allowed to file her Second Amended Complaint late.

Sincerely yours,

Stephen A. Katz  
(212) 349-6400

111 John Street Suite 800, New York, NY 10038-3180

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5 May 2011

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Honorable Cathy Seibel  
Federal Building and United States Courthouse  
Clerk's Office  
300 Quarropas Street, 1st floor  
White Plains, NY 10601-4150

*By fax to (914) 390-4278*

Re: Hutter v. Countrywide Bank, N.A., Civil Action no. 09-CV-10092 (CS) (LMS)

Dear Judge Seibel:

Today I filed on ECF plaintiff Nance M. Hutter's Second Amended Complaint. Please excuse my not filing that pleading by the deadline of 2 May 2011. (2 May was the deadline because it was the first business day after Saturday 30 April 2011, on which the thirty-day extension from 31 March 2011, that your Honor granted, expired.)

I filed late because in April when I looked at document 36 on the Court's docket, I saw the reference to my request for an extension, but carelessly overlooked the notation—which is also part of document 36—saying that your Honor had allowed the extension. I learned of my error when I called chambers today to see if the conference that had been scheduled for today was still going to be held.

I have asked opposing counsel to consent to my filing the Second Amended Complaint late, but have not received responses.

I respectfully ask that the Court accept the Second Amended Complaint as if it had been timely filed. Thank you for your consideration.

*I am not sure how the facts in the 2d paragraph above explain the late filing, but I will allow it*

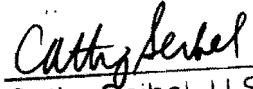
Sincerely yours,

  
Stephen A. Katz

SAK

cc: Attorneys Rudd and Ackerman

So Ordered.

  
Cathy Seibel, U.S.D.J.

Dated: 5/6/11

## Stephen A. Katz, P.C.

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**To: Honorable Cathy Seibel**

**From: Stephen A. Katz**

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**Fax: (914) 390-4278**

**Pages: 2**

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**Re: Hutter v. Countrywide**

**Date: May 05, 2011**

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Dear Judge Seibel:

I have sent with this cover page:

1. my letter of today asking that the Court accept a late-filed Second Amended Complaint.

Sincerely yours,

Stephen A. Katz  
(212) 349-6400

111 John Street Suite 800, New York, NY 10038-3180

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